

# *A proposal for*

## **TESTING AND ANALYTICAL SERVICES FOR REGULATION OF MOTOR VEHICLES, ENGINES, FUELS AND FUEL ADDITIVES**

### **Part I – Technical Proposal**

In response to: Solicitation No. SOL-CI-13-00047

Prepared for:

U.S. Environmental Protection Agency  
Contracts Procurement Operations Division  
4411 Montgomery Road, Suite 300  
Norwood, Ohio 45212

Attention: Mr. Jose Ortiz

Prepared by:

Reviewed by:

**DRAFT TITLE PAGE –**  
**DO NOT SIGN**

Patrick M. Morris, Principal Scientist  
Engine, Emissions and Vehicle  
Research Division

Vlad Orlov, Assistant Director  
Engine, Emissions and Vehicle  
Research Division

Submitted by:

Approved by:

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Daniel Stewart  
Director, Emissions Research & Development  
Engine, Emissions and Vehicle  
Research Division

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Bruce B. Bykowski  
Vice President  
Engine, Emissions and Vehicle  
Research Division

# SOUTHWEST RESEARCH INSTITUTE®

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ENGINE, EMISSIONS AND VEHICLE RESEARCH DIVISION  
FAX: (210) 522-3950

ISO 9001 CERTIFIED  
ISO 14001 CERTIFIED

July 11, 2014

Mr. Jose Ortiz  
Environmental Protection Agency  
Contracts Management Division  
4411 Montgomery Road  
Norwood, Ohio 45212

Subject: Southwest Research Institute® Proposal No. 03-69550, "Testing and Analytical Services for Regulation of Motor Vehicles, Engines, Fuels and Fuel Additives", in response to SOL-CI-13-00047.

Dear Mr. Ortiz:

Enclosed you will find one original plus two copies of the Part I – Technical Proposal and of Part II – Cost Proposal. Each volume has been prepared in accordance with the instructions provided, including a small disadvantaged business plan, a quality management plan, and a conflict of interest plan. These two volumes are intended to be a complete response to the RFP; but we would be pleased to provide further information, if necessary. Our principal teaming partner, (b)(4) has provided their proprietary, detailed breakdown of their cost estimate directly to you.

Inquiries on cost or pricing should be directed to:

Jennifer Davila

(b)(4)

Telephone: (b)(4)

Fax: (b)(4)

Questions of technical nature should be directed to:

Patrick M. Merritt

(b)(4)

Telephone: (b)(4)

Fax: (b)(4)

The mailing address for either party is the same:

Southwest Research Institute  
PO Drawer 28510  
San Antonio, TX 78228-0510



Benefiting government, industry and the public through innovative science and technology

Mr. Jose Ortiz  
Environmental Protection Agency  
Contracts Management Division  
July 11, 2014  
Page 2 of 2

SwRI grants to the EPA or its authorized representatives, the right to examine, for purposes of verifying the information submitted, those books, records, documents, and other supporting data that will permit adequate evaluation; and this right may be exercised in connection with any such reviews deemed necessary by the Government.

Please note that all parts of our proposal are considered confidential, and not subject to mandatory disclosure under the Freedom of Information Act. We make this assertion because we believe that no third party has any legitimate need for any part of the proposal.

Southwest Research Institute and our team members are ready to put their unique combination of experience and capability to work for EPA on the proposed program without delay. We appreciate this opportunity to respond to EPA's research needs and look forward to working with you if our proposal is accepted.

Best Regards,

-  -

Bruce B. Bykowski  
Vice President  
Engine, Emissions and Vehicle Research Division

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(b)(4)

### III. PAST PERFORMANCE

This section provides details about the relevant past performance of Southwest Research Institute (b)(4)

#### A. Southwest Research Institute Experience

For almost 40 years, SwRI has been the prime contractor for several EPA task order contracts that are very similar in nature to the proposed program. Relevant programs are discussed in this subsection.

Under Task Assignment EP-G13C-00336, SwRI has been providing support to EPA and the Department of Transportation's National Highway Traffic Safety Administration (NHTSA) recently announced program to reduce greenhouse gas (GHG) emissions and improve fuel efficiency of heavy-duty trucks and buses. Hybrid system certification is part of the program. Due to particular technical challenges to quantify hybrid vehicle benefits as opposed to conventional vehicles, the agencies are developing different concepts for certification, including a powertrain test approach. The powertrain system includes the engine, hybrid related components, and transmission. (b)(4)

(b)(4)

In addition to the vehicle chassis dyno tests, engine and powertrain dyno tests, and hardware-in-the-loop software development, we are providing further development and validation of the greenhouse gas emission model (GEM) code. This program incorporated many of the same tasks in the current Solicitation, including:

- Task 1A, Fuel Procurement, Processing, and Analysis
- Task 2A, Engine/Vehicle Testing
- Task 2D, In-Use Vehicle/Component Recruitment
- Task 2F, Development and Use of Data Acquisition Equipment/Software in Operating and Test Cycle Development
- Task 2I, Emissions Sampling and Analysis
- Task 4A, Statistical Analysis

Details of the contract are presented on the following page.

In our most recent Contractor Performance Assessment Report (CPAR) of Work Assignment EP-G13C-00336, EPA awarded SwRI the rating of (b)(4) in all categories.

(a) Name of SwRI contracting activity	U.S. Environmental Protection Agency
(b) Contract number	GS-07F-6087P, EP-G13C-00336
(c) Contract title	Powertrain Testing and Validation
(d) Contract type	Cost-Plus-Fixed-Fee, Work Assignment
(e) Brief description of contract	Provide support to EPA OTAQ for development and validation of the GEM model; hardware-in-the-loop testing development for heavy-duty vehicles
(f) Total contract value	\$1,840,133
(g) Period of performance	1/03/2013 – 10/30/2014
(h) Contracting officer	Mr. Scott Tharp; tharp.scott@epa.gov
(i) Program manager/Project officer	Dr. Houshun Zhang; zhang.houshun@epa.gov
(j) Administrative contracting officer	Ms. Greta Perry; perry.greta@epa.gov
(k) List of major (over \$500,000) subcontractors, if applicable	N/A

Under contract GS-07F-6087P, EP-G13C-00331, SwRI has been supporting EPA with the development of an aerosol generator for particle instrument calibration, fundamental particle research, and the potential development of particle number standard and/or precursor. In our most recent Contractor Performance Assessment Report (CPAR) of Work Assignment EP-G13C-00331, EPA awarded SwRI the (b)(4) This program entailed the work specified in Task 2B, Design and Development of Stable Source (PM Generator) of Combustion PM.

(a) Name of SwRI contracting activity	U.S. Environmental Protection Agency
(b) Contract number	GS-07F-6087P, EP-G13C-00331
(c) Contract title	Development of Aerosol Generator
(d) Contract type	Time & Materials
(e) Brief description of contract	Development of Particle Generator for Engine Exhaust Simulation
(f) Total contract value	\$1,189,137
(g) Period of performance	12/05/2012 – 8/31/2014
(h) Contracting officer	Ms. Greta Perry; perry.greta@epa.gov
(i) Program manager/Project officer	Bob Giannelli; giannelli.robert@epa.gov Christine Bruner; bruner.christine@epa.gov
(j) Administrative contracting officer	Ms. Greta Perry; perry.greta@epa.gov
(k) List of major (over \$500,000) subcontractors, if applicable	N/A



In 2011, the Department of Transportation's National Highway Traffic Safety Administration (NHTSA) and Environmental Protection Agency (EPA) jointly issued a first phase of fuel efficiency and greenhouse gas (GHG) standards that apply to medium- and heavy-duty on-highway engines and vehicles for model years (MY) 2014 to 2018. These regulations are commonly referred to as Phase I of the Heavy-Duty National Program.

SwRI provided NHTSA information for the next phase (Phase 2) of the regulations, which will be used to set standards in coordination with EPA for model years beyond 2018. (b)(4)

(b)(4)

(b)(4)

(b)(4)

(a) Name of SwRI contracting activity	National Highway Traffic Safety Administration
(b) Contract number	DENH22-12-F-00428/ GS-23F-0006M
(c) Contract title	2019-2022 Commercial Medium- and Heavy-Duty (MD/HD) On-Highway Vehicle and Work Truck Fuel Efficiency Technology Study
(d) Contract type	Time & Materials
(e) Brief description of contract	Assessment of engine and vehicle fuel efficiency improvement technologies for medium- and heavy-duty trucks
(f) Total contract value	\$2,553,409
(g) Period of performance	9/28/2012 – 9/27/2015
(h) Contracting officer	Vincent Lynch; vincentlynch@dot.gov
(i) Program manager/Project officer	James MacIsaac; james.macisaac@dot.gov
(j) Administrative contracting officer	Wendell Crowder; wendell.crowder@dot.gov Ewart Smith; ewart.smith@dot.gov
(k) List of major (over \$500,000) subcontractors, if applicable	N/A

Under Work Assignment EP-G13C-00406, SwRI supported EPA and the Department of Transportation's National Highway Traffic Safety Administration (NHTSA). This program also involved reduction of GHG emissions and improvements in fuel efficiency of heavy-duty trucks and buses through evaluation of tires and aerodynamic enhancements for tractor and trailer.

(a) Name of SwRI contracting activity	U.S. Environmental Protection Agency
(b) Contract number	GS-07F-6087P, EP-G13C-00406
(c) Contract title	Perform Road Testing for Fuel Economy, Class 8 Tractor Trailer, Tires and Aero
(d) Contract type	Cost-Plus-Fixed-Fee, Work Assignment
(e) Brief description of contract	Perform road testing for evaluation of fuel economy of class 8 tractors, trailers, tires and aerodynamic enhancements for tractor and trailer
(f) Total contract value	\$71,153
(g) Period of performance	7/31/2013 – 9/30/2014
(h) Contracting officer	Mr. Scott Tharp; tharp.scott@epa.gov
(i) Program manager/Project officer	Mr. Joe Bachman; bachman.joe@epa.gov
(j) Administrative contracting officer	Ms. Greta Perry; perry.greta@epa.gov
(k) List of major (over \$500,000) subcontractors, if applicable	N/A

From mid-2007 to mid-2012, SwRI performed a Work Assignment contract titled "Testing and Related Support for Energy Bill-Mandated Activities" (Contract No. EP-C-07-028). (b)(4)

(b)(4) We provided support in testing and analysis of in-use engines and vehicles, and for proposed and in-use alternative fuels.

(b)(4)

(b)(4)

(b)(4)

Concurrently with this program, SwRI also managed other significant projects, such as WAs 1-5 and 2-5, "Determine Evaporative Emissions Breakdown Including Permeation Effects," and "Diurnal Emissions on Aging Enhanced Evaporative Emissions Certified Vehicles" (CRC E-77-2b)." This program demonstrated SwRI's ability to manage large subcontracted tasks.

(b)(4)

<b>(a) Name of SwRI contracting activity</b>	<b>U.S. Environmental Protection Agency</b>
<b>(b) Contract number</b>	<b>EP-C-07-028</b>
<b>(c) Contract title</b>	<b>Testing and Related Support for Energy Bill-Mandated Activities</b>
<b>(d) Contract type</b>	<b>Cost-Plus-Fixed-Fee, Work Assignment</b>
<b>(e) Brief description of contract</b>	<b>Creation of datasets necessary to support activities at OTAQ related to Energy Bill</b>
<b>(f) Total contract value</b>	<b>\$9,136,128</b>
<b>(g) Period of performance</b>	<b>6/28/2007 – 6/27/2012</b>
<b>(h) Contracting officer</b>	<b>Ms. Angela Lower; lower.angela@epa.gov</b>
<b>(i) Program manager/Project officer</b>	<b>Ms. Christine Brunner; brunner.christine@epa.gov</b>
<b>(j) Administrative contracting officer</b>	<b>Ms. Angela Lower; lower.agnela@epa.gov</b>
<b>(k) List of major (over \$500,000) subcontractors, if applicable</b>	<b>N/A</b>

# *A proposal for*

## **TESTING AND ANALYTICAL SERVICES FOR REGULATION OF MOTOR VEHICLES, ENGINES, FUELS AND FUEL ADDITIVES**

### **Part 2 – Cost Proposal**


In response to: Solicitation No. SOL-CI-13-00047

Prepared for:


U.S. Environmental Protection Agency  
Contracts Procurement Operations Division  
4411 Montgomery Road, Suite 300  
Norwood, Ohio 45212

Attention: Mr. Jose Ortiz


Prepared by:

  
Patrick M. Merritt, Principal Scientist  
Engine, Emissions and Vehicle  
Research Division

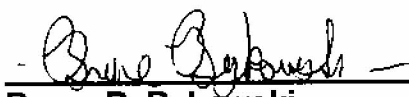
Reviewed by:

  
Vlad Ulmet, Assistant Director  
Engine, Emissions and Vehicle  
Research Division

Submitted by:

  
Daniel Stewart  
Director, Emissions Research & Development  
Engine, Emissions and Vehicle  
Research Division

Approved by:

  
Bruce B. Bykowski  
Vice President  
Engine, Emissions and Vehicle  
Research Division



# SOUTHWEST RESEARCH INSTITUTE®

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July 11, 2014

Mr. Jose Ortiz  
Environmental Protection Agency  
Contracts Management Division  
4411 Montgomery Road  
Norwood, Ohio 45212

**Subject:** Southwest Research Institute® Proposal No. 03-69550, "Testing and Analytical Services for Regulation of Motor Vehicles, Engines, Fuels and Fuel Additives", in response to SOL-CI-13-00047.

Dear Mr. Ortiz:

Enclosed you will find Part II – Cost Proposal, which has been prepared in accordance with the instructions provided. We would be pleased to provide further information, if necessary. (b)(4)  
(b)(4)

Personnel for any contractual negotiations required on this procurement may be contacted as follows:

Ms. Jennifer Davila, Contract Specialist, Contracts Department,

(b)(4) facsimile (b)(4) e-mail (b)(4)

Ms. Vera Elizondo, Manager, Contracts Department, (b)(4)

facsimile (b)(4) e-mail (b)(4)

Mr. Troy Nagy, Assistant Director, Contracts Department, (b)(4)

facsimile (b)(4) e-mail (b)(4)

Mr. R. B. Kalmbach, Executive Director, Contracts Department, (b)(4)

(b)(4) facsimile (b)(4) e-mail (b)(4)

DCMA contact information is as follows:

Ms. Elda Villarreal, Administrative Contracting Officer, 210/295-0162,  
facsimile 210/295-0195, email [Elda.Villarreal@dcma.mil](mailto:Elda.Villarreal@dcma.mil),  
600 N. Pearl Street, Suite 1630, Dallas, Texas 75201-2843.

SwRI® grants to the EPA or its authorized representatives, the right to examine, for purposes of verifying the information submitted, those books, records, documents, and other supporting data that will permit adequate evaluation; and this right may be exercised in connection with any such reviews deemed necessary by the Government.



Benefiting government industry and the public through innovative science and technology

Mr. Jose Ortiz  
Environmental Protection Agency  
Contracts Management Division  
July 11, 2014  
Page 2 of 2

Please note that all parts of our proposal are considered confidential, and not subject to mandatory disclosure under the Freedom of Information Act. We make this assertion because we believe that no third party has any legitimate need for any part of the proposal.

Southwest Research Institute and our team members are ready to put their unique combination of experience and capability to work for EPA on the proposed program without delay. We appreciate this opportunity to respond to EPA's research needs and look forward to working with you if our proposal is accepted.


Sincerely,



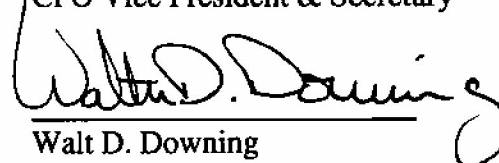
R. B. Kalmbach  
Executive Director, Contracts



Linda M. Boehme  
Treasurer



for Beth A. Rafferty  
CFO Vice President & Secretary



Walt D. Downing  
Executive Vice President



Dan Bates  
President

# *A Cost Proposal for*

## **TESTING AND ANALYTICAL SERVICES FOR REGULATION OF MOTOR VEHICLES, ENGINES, FUELS AND FUEL ADDITIVES**

Solicitation Number SOL-CI-13-00047

SwRI® Proposal Number 03-69550

July 11, 2014

***Prepared for:***

**U. S. ENVIRONMENTAL PROTECTION AGENCY**

***Prepared by:***

**Southwest Research Institute®**  
6220 Culebra Road  
San Antonio, Texas 78238-5166

Contract Specialist: Ms. Jennifer Davila, (b)(4)

Southwest Research Institute (SwRI) is a large nonprofit corporation organized in the public interest and existing under the laws of the State of Texas, with its general offices and laboratories located at 6220 Culebra Road, San Antonio, Texas, 78238. Additional off-site offices and laboratories are located in several other cities within the United States. SwRI presently employs approximately 2800 scientists, engineers, technicians and service personnel.

The data furnished in this proposal shall not be disclosed outside the Government and shall not be duplicated, used, or disclosed in whole or in part for any purpose other than to evaluate this proposal and as may be further permitted in this proposal; provided, that if a contract is awarded to this offeror as a result of or in connection with the submission of this data, the Government shall have the right to duplicate, use or disclose the data to the extent provided in the contract. This restriction does not limit the Government's right to use information contained in the data if it is obtained from another source without restriction. The data subject to this restriction is contained in the Cost Section, in its entirety.

# Southwest Research Institute

**SwRI Proposal No. 03-69550**  
**Solicitation No. SOL-CI-13-00047**

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## AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE

PAGE OF PAGES

000012

2. AMENDMENT/MODIFICATION NO.

3. EFFECTIVE DATE

4. REQUISITION/PURCHASE REQ. NO.

5. PROJECT NO. (If applicable)

000.01

06/11/2014

6. ISSUED BY

CODE

CPOD

7. ADMINISTERED BY (If other than Item 6)

CODE

CPOD

US Environmental Protection Agency

26 West Martin Luther King Drive

Mail Code: NWD

Cincinnati OH 45268

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

(x)

9A. AMENDMENT OF SOLICITATION NO.

SOL-CI-13-00047

x

9B. DATED (SEE ITEM 11)

06/11/2014

10A. MODIFICATION OF CONTRACT/ORDER NO.

10B. DATED (SEE ITEM 13)

CODE

FACILITY CODE

## 11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☒ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers is extended. ☐ is not extended. Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning 1 copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGEMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

## 13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
	D. OTHER (Specify type of modification and authority)

E. IMPORTANT: Contractor is not is required to sign this document and return \_\_\_\_\_ copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings. Including solicitation/contract subject matter where feasible.)

Testing and Analytical Services for Regulation of Motor Vehicles, Engines, and Fuels and Fuel Additives

This amendment administratively revises the title of the previously released solicitation title in FedConnect to Testing and Analytical Services for Regulation of Motor Vehicles, Engines, Fuels and Fuel Additives for SOL-CI-13-00047. No other revisions or changes are made.

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)

15A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)

R. B. Kalmbach, Executive Director, Contracts

Sandra Savage

15B. CONTRACTOR/OFFEROR

15C. DATE SIGNED

15B. UNITED STATES OF AMERICA

15C. DATE SIGNED

(Signature of person authorized to sign)

July 11, 2014

(Signature of Contracting Officer)

NSN 7540-01-152-8070

Previous edition unusable

STANDARD FORM 30 (REV 10-83)

Prescribed by GSA

FAR (48 CFR) 53.243

## SECTION K - Representations, Certifications, and Other Statements of Bidders

### K-1 FAR 52.204-8 Annual Representations and Certifications. (Jan 2014)

(a)(1) The North American Industry Classification System (NAICS) code for this acquisition is 541330.

(2) The small business size standard is \$14,000,000.

(3) The small business size standard for a concern which submits an offer in its own name, other than on a construction or service contract, but which proposes to furnish a product which it did not itself manufacture, is 500 employees.

(b)(1) If the provision at 52.204-7, System for Award Management, is included in this solicitation, paragraph (d) of this provision applies.

(2) If the provision at 52.204-7 is not included in this solicitation, and the offeror is currently registered in the System for Award Management (SAM), and has completed the Representations and Certifications section of SAM electronically, the offeror may choose to use paragraph (d) of this provision instead of completing the corresponding individual representations and certifications in the solicitation. The offeror shall indicate which option applies by checking one of the following boxes:

☒ (i) Paragraph (d) applies.

☐ (ii) Paragraph (d) does not apply and the offeror has completed the individual representations and certifications in the solicitation.

(c)(1) The following representations or certifications in SAM are applicable to this solicitation as indicated:

(i) 52.203-2, Certificate of Independent Price Determination. This provision applies to solicitations when a firm-fixed-price contract or fixed-price contract with economic price adjustment is contemplated, unless--

(A) The acquisition is to be made under the simplified acquisition procedures in Part 13;

(B) The solicitation is a request for technical proposals under two-step sealed bidding procedures; or

(C) The solicitation is for utility services for which rates are set by law or regulation.

(ii) 52.203-11, Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions. This provision applies to solicitations expected to exceed \$150,000.

(iii) 52.204-3, Taxpayer Identification. This provision applies to solicitations that do not include provision at 52.204-7, System for Award Management.

(iv) 52.204-5, Women-Owned Business (Other Than Small Business). This provision applies to solicitations that--

(A) Are not set aside for small business concerns;

(B) Exceed the simplified acquisition threshold; and

- (C) Are for contracts that will be performed in the United States or its outlying areas.
- (v) 52.209-2, Prohibition on Contracting with Inverted Domestic Corporations-Representation. This provision applies to solicitations using funds appropriated in fiscal years 2008, 2009, 2010, or 2012.
- (vi) 52.209-5, Certification Regarding Responsibility Matters. This provision applies to solicitations where the contract value is expected to exceed the simplified acquisition threshold.
- (vii) 52.214-14, Place of Performance--Sealed Bidding. This provision applies to invitations for bids except those in which the place of performance is specified by the Government.
- (viii) 52.215-6, Place of Performance. This provision applies to solicitations unless the place of performance is specified by the Government.
- (ix) 52.219-1, Small Business Program Representations (Basic & Alternate I). This provision applies to solicitations when the contract will be performed in the United States or its outlying areas.
- (A) The basic provision applies when the solicitations are issued by other than DoD, NASA, and the Coast Guard.
- (B) The provision with its Alternate I applies to solicitations issued by DoD, NASA, or the Coast Guard.
- (x) 52.219-2, Equal Low Bids. This provision applies to solicitations when contracting by sealed bidding and the contract will be performed in the United States or its outlying areas.
- (xi) 52.222-22, Previous Contracts and Compliance Reports. This provision applies to solicitations that include the clause at 52.222-26, Equal Opportunity.
- (xii) 52.222-25, Affirmative Action Compliance. This provision applies to solicitations, other than those for construction, when the solicitation includes the clause at 52.222-26, Equal Opportunity.
- (xiii) 52.222-38, Compliance with Veterans' Employment Reporting Requirements. This provision applies to solicitations when it is anticipated the contract award will exceed the simplified acquisition threshold and the contract is not for acquisition of commercial items.
- (xiv) 52.223-1, Biobased Product Certification. This provision applies to solicitations that require the delivery or specify the use of USDA-designated items; or include the clause at 52.223-2, Affirmative Procurement of Biobased Products Under Service and Construction Contracts.
- (xv) 52.223-4, Recovered Material Certification. This provision applies to solicitations that are for, or specify the use of, EPA-designated items.
- (xvi) 52.225-2, Buy American Act Certificate. This provision applies to solicitations containing the clause at 52.225-1.
- (xvii) 52.225-4, Buy American Act--Free Trade Agreements--Israeli Trade Act

**Certificate. (Basic, Alternates I, II, and III.) This provision applies to solicitations containing the clause at 52.225-3.**

(A) If the acquisition value is less than \$25,000, the basic provision applies.

(B) If the acquisition value is \$25,000 or more but is less than \$50,000, the provision with its Alternate I applies.

(C) If the acquisition value is \$50,000 or more but is less than \$79,507, the provision with its Alternate II applies.

(D) If the acquisition value is \$79,507 or more but is less than \$100,000, the provision with its Alternate III applies.

(xviii) 52.225-6, Trade Agreements Certificate. This provision applies to solicitations containing the clause at 52.225-5.

(xix) 52.225-20, Prohibition on Conducting Restricted Business Operations in Sudan--Certification. This provision applies to all solicitations.

(xx) 52.225-25, Prohibition on Contracting with Entities Engaging in Certain Activities or Transactions Relating to Iran-Representation and Certifications. This provision applies to all solicitations.

(xxi) 52.226-2, Historically Black College or University and Minority Institution Representation. This provision applies to-

(A) Solicitations for research, studies, supplies, or services of the type normally acquired from higher educational institutions; and

(B) For DoD, NASA, and Coast Guard acquisitions, solicitations that contain the clause at 52.219-23, Notice of Price Evaluation Adjustment for Small Disadvantaged Business Concerns.

(2) The following certifications are applicable as indicated by the Contracting Officer:

(Contracting Officer check as appropriate.)

☐ (i) 52.219-22, Small Disadvantaged Business Status.

☐ (A) Basic.

☐ (B) Alternate I.

☐ (ii) 52.222-18, Certification Regarding Knowledge of Child Labor for Listed End Products.

☐ (iii) 52.222-48, Exemption from Application of the Service Contract Act to Contracts for Maintenance, Calibration, or Repair of Certain Equipment Certification.

☐ (iv) 52.222-52 Exemption from Application of the Service Contract Act to Contracts for Certain Services--Certification.

☐ (v) 52.223-9, with its Alternate I, Estimate of Percentage of Recovered Material Content for EPA-Designated Products (Alternate I only).

☐ (vi) 52.227-6, Royalty Information.

☐ (A) Basic.

☐ (B) Alternate I.

☐ (vii) 52.227-15, Representation of Limited Rights Data and Restricted Computer Software.



(d) The offeror has completed the annual representations and certifications electronically via the SAM Web site accessed through <https://www.acquisition.gov>. After reviewing the SAM database information, the offeror verifies by submission of the offer that the representations and certifications currently posted electronically that apply to this solicitation as indicated in paragraph (c) of this provision have been entered or updated within the last 12 months, are current, accurate, complete, and applicable to this solicitation (including the business size standard applicable to the NAICS code referenced for this solicitation), as of the date of this offer and are incorporated in this offer by reference (see FAR 4.1201); except for the changes identified below (offeror to insert changes, identifying change by clause number, title, date). These amended representation(s) and/or certification(s) are also incorporated in this offer and are current, accurate, and complete as of the date of this offer.

FAR Clause No.[]

Title[]

Date[]

Change[]

Any changes provided by the offeror are applicable to this solicitation only, and do not result in an update to the representations and certifications posted on SAM.

**K-2 FAR 52.209-7 Information Regarding Responsibility Matters. (Jul 2013)**

(a) Definitions. As used in this provision-

"Administrative proceeding" means a non-judicial process that is adjudicatory in nature in order to make a determination of fault or liability (e.g., Securities and Exchange Commission Administrative Proceedings, Civilian Board of Contract Appeals Proceedings, and Armed Services Board of Contract Appeals Proceedings). This includes administrative proceedings at the Federal and State level but only in connection with performance of a Federal contract or grant. It does not include agency actions such as contract audits, site visits, corrective plans, or inspection of deliverables.

"Federal contracts and grants with total value greater than \$10,000,000" means-

(1) The total value of all current, active contracts and grants, including all priced options; and

(2) The total value of all current, active orders including all priced options under indefinite-delivery, indefinite-quantity, 8(a), or requirements contracts (including task and delivery and multiple-award Schedules).

"Principal" means an officer, director, owner, partner, or a person having primary management or supervisory responsibilities within a business entity (e.g., general manager; plant manager; head of a division or business segment; and similar positions).

(b) The offeror [X] has ☐ does not have current active Federal contracts and grants with total value greater than \$10,000,000.

(c) If the offeror checked "has" in paragraph (b) of this provision, the offeror represents, by submission of this offer, that the information it has entered in the Federal Awardee Performance and Integrity Information System (FAPIIS) is current, accurate, and complete as of the date of submission of this offer with regard to the following information:

(1) Whether the offeror, and/or any of its principals, has or has not, within the last five years, in connection with the award to or performance by the offeror of a Federal contract or grant, been the subject of a proceeding, at the Federal or State level that resulted in any of the following dispositions:

(i) In a criminal proceeding, a conviction.

(ii) In a civil proceeding, a finding of fault and liability that results in the payment of a monetary fine, penalty, reimbursement, restitution, or damages of \$5,000 or more.

(iii) In an administrative proceeding, a finding of fault and liability that results in-

(A) The payment of a monetary fine or penalty of \$5,000 or more; or

(B) The payment of a reimbursement, restitution, or damages in excess of \$100,000.

(iv) In a criminal, civil, or administrative proceeding, a disposition of the matter by consent or compromise with an acknowledgment of fault by the Contractor if the proceeding could have led to any of the outcomes specified in paragraphs (c)(1)(i), (c)(1)(ii), or (c)(1)(iii) of this provision.

(2) If the offeror has been involved in the last five years in any of the occurrences listed in (c)(1) of this provision, whether the offeror has provided the requested information with regard to each occurrence.

(d) The offeror shall post the information in paragraphs (c)(1)(i) through (c)(1)(iv) of this provision in FAPIIS as required through maintaining an active registration in the System for Award Management database via <https://www.acquisition.gov> (see 52.204-7).

### **K-3 FAR 52.230-1 Cost Accounting Standards Notices and Certification. (May 2012)**

**Note:** This notice does not apply to small businesses or foreign governments. This notice is in three parts, identified by Roman numerals I through III.

Offerors shall examine each part and provide the requested information in order to determine Cost Accounting Standards (CAS) requirements applicable to any resultant contract.

If the offeror is an educational institution, Part II does not apply unless the contemplated contract will be subject to full or modified CAS coverage pursuant to 48 CFR 9903.201-2(c)(5) or 9903.201-2(c)(6), respectively.

#### **I. Disclosure Statement - Cost Accounting Practices and Certification**

(a) Any contract in excess of \$700,000 resulting from this solicitation will be subject to the requirements of the Cost Accounting Standards Board (48 CFR Chapter 99), except for those contracts which are exempt as specified in 48 CFR 9903.201-1.

(b) Any offeror submitting a proposal which, if accepted, will result in a contract subject to the requirements of 48 CFR Chapter 99 must, as a condition of contracting, submit a Disclosure Statement as required by 48 CFR 9903.202. When required, the Disclosure Statement must be submitted as a part of the offeror's proposal under this solicitation unless the offeror has already submitted a Disclosure Statement disclosing the practices used in connection with the pricing of this proposal. If an applicable Disclosure Statement has already been submitted, the offeror may satisfy the requirement for submission by providing the information requested in paragraph (c) of Part I of this provision.

**Caution:** In the absence of specific regulations or agreement, a practice disclosed in a Disclosure Statement

shall not, by virtue of such disclosure, be deemed to be a proper, approved, or agreed-to practice for pricing proposals or accumulating and reporting contract performance cost data.

(c) Check the appropriate box below:

☐ (1) *Certificate of Concurrent Submission of Disclosure Statement.* The offeror hereby certifies that, as a part of the offer, copies of the Disclosure Statement have been submitted as follows:

(i) Original and one copy to the cognizant Administrative Contracting Officer (ACO) or cognizant Federal agency official authorized to act in that capacity (Federal official), as applicable; and

(ii) One copy to the cognizant Federal auditor.

(Disclosure must be on Form No. CASB DS-1 or CASB DS-2, as applicable. Forms may be obtained from the cognizant ACO or Federal official and/or from the loose-leaf version of the Federal Acquisition Regulation.)

Date of Disclosure Statement: *[Name and Address of Cognizant ACO or Federal Official Where Filed:]*

The offeror further certifies that the practices used in estimating costs in pricing this proposal are consistent with the cost accounting practices disclosed in the Disclosure Statement.

☒ (2) *Certificate of Previously Submitted Disclosure Statement.* The offeror hereby certifies that the required Disclosure Statement was filed as follows:

Date of Disclosure Statement: [June 6, 2014]

Name and Address of Cognizant ACO or Federal Official Where Filed: [Elda Villarreal, 600 N. Pearl Street, Suite 1630, Dallas, TX 75201-2843]

The offeror further certifies that the practices used in estimating costs in pricing this proposal are consistent with the cost accounting practices disclosed in the applicable Disclosure Statement.

☐ (3) *Certificate of Monetary Exemption.* The offeror hereby certifies that the offeror, together with all divisions, subsidiaries, and affiliates under common control, did not receive net awards of negotiated prime contracts and subcontracts subject to CAS totaling \$50 million or more in the cost accounting period immediately preceding the period in which this proposal was submitted. The offeror further certifies that if such status changes before an award resulting from this proposal, the offeror will advise the Contracting Officer immediately.

☐ (4) *Certificate of Interim Exemption.* The offeror hereby certifies that (i) the offeror first exceeded the monetary exemption for disclosure, as defined in (3) of this subsection, in the cost accounting period immediately preceding the period in which this offer was submitted and (ii) in accordance with 48 CFR 9903.202-1, the offeror is not yet required to submit a Disclosure Statement. The offeror further certifies that if an award resulting from this proposal has not been made within 90 days after the end of that period, the offeror will immediately submit a revised certificate to the Contracting Officer, in the form specified under subparagraph (c)(1) or (c)(2) of Part I of this provision, as appropriate, to verify submission of a completed Disclosure Statement.

Caution: Offerors currently required to disclose because they were awarded a CAS-covered prime contract or subcontract of \$50 million or more in the current cost accounting period may not claim this exemption (4). Further, the exemption applies only in connection with proposals submitted before expiration of the 90-day period following the cost accounting period in which the monetary exemption was exceeded.

## II. Cost Accounting Standards - Eligibility for Modified Contract Coverage

If the offeror is eligible to use the modified provisions of 48 CFR 9903.201-2(b) and elects to do so, the offeror shall indicate by checking the box below. Checking the box below shall mean that the resultant contract is subject to the Disclosure and Consistency of Cost Accounting Practices clause in lieu of the Cost Accounting Standards clause.

☐ The offeror hereby claims an exemption from the Cost Accounting Standards clause under the provisions of 48 CFR 9903.201-2(b) and certifies that the offeror is eligible for use of the Disclosure and Consistency of Cost Accounting Practices clause because during the cost accounting period immediately preceding the period in which this proposal was submitted, the offeror received less than \$50 million in awards of CAS-covered prime contracts and subcontracts. The offeror further certifies that if such status changes before an award resulting from this proposal, the offeror will advise the Contracting Officer immediately.

Caution: An offeror may not claim the above eligibility for modified contract coverage if this proposal is expected to result in the award of a CAS-covered contract of \$50 million or more or if, during its current cost accounting period, the offeror has been awarded a single CAS-covered prime contract or subcontract of \$50 million or more.

## III. Additional Cost Accounting Standards Applicable to Existing Contracts

The offeror shall indicate below whether award of the contemplated contract would, in accordance with subparagraph (a)(3) of the Cost Accounting Standards clause, require a change in established cost accounting practices affecting existing contracts and subcontracts.

☐ yes ☒ no

### K-4 FAR 52.230-7 Proposal Disclosure--Cost Accounting Practice Changes. (Apr 2005)

The offeror shall check "yes" below if the contract award will result in a required or unilateral change in cost accounting practice, including unilateral changes requested to be desirable changes.

\_\_\_ Yes ☒ No

If the offeror checked "Yes" above, the offeror shall--

(1) Prepare the price proposal in response to the solicitation using the changed practice for the period of performance for which the practice will be used; and

(2) Submit a description of the changed cost accounting practice to the Contracting Officer and the Cognizant Federal Agency Official as pricing support for the proposal.

### K-5 EPAAR 1552.209-72 Organizational Conflict of Interest Certification. (Apr 1984)

The offeror ☒ is \_\_\_ is not aware of any information bearing on the existence of any potential organizational conflict of interest. If the offeror is aware of information bearing on whether a potential conflict may exist, the offeror shall provide a disclosure statement describing this information. (See section L of the solicitation for further information.)

### K-6 EPAAR 1552.224-70 Social Security Numbers of Consultants and Certain Sole Proprietors and Privacy Act Statement. (Apr 1984)

(a) Section 6041 of title 26 of the U.S. Code requires EPA to file Internal Revenue Service (IRS) Form

1099 with respect to individuals who receive payments from EPA under purchase orders or contracts. Section 6109 of title 26 of the U.S. Code authorizes collection by EPA of the social security numbers of such individuals for the purpose of filing IRS Form 1099. Social security numbers obtained for this purpose will be used by EPA for the sole purpose of filing IRS Form 1099 in compliance with section 6041 of title 26 of the U.S. Code.

(b) If the offeror or quoter is an individual, consultant, or sole proprietor and has no Employer Identification Number, insert the offeror's or quoter's social security number on the following line.